

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

**GREGORY GILREATH,**

**Plaintiff,**

**-vs-**

**Case No. 3:-04-CV-302**

**CLEMENS & COMPANY, et al.,**

**Judge Thomas M. Rose**

**Defendants.**

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**ENTRY AND ORDER OVERRULING PETITIONER'S OBJECTIONS TO THE  
MAGISTRATE'S REPORT AND RECOMMENDATIONS (Doc. #49); ADOPTING THE  
MAGISTRATE'S REPORT AND RECOMMENDATIONS REGARDING THE AMOUNT  
OF SANCTIONS TO BE AWARDED TO CLEMENS AND CO. AND TO LOCAL 162 (Doc.  
#48) AND TERMINATING THE CASE**

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As required by 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72(b), the District Judge has made a de novo review of the record in this matter. Upon said review, the Court finds that Petitioner's objections (doc. # 49) to the Magistrate Judge's Report and Recommendations (doc. #48) regarding the amount of sanctions to be awarded to Defendant Clemens and Co. and to Defendant Plumbers and Pipefitters Local No. 162 are not well taken and they are hereby **OVERRULED.**

This Court had previously determined that Plaintiff and his counsel were to be sanctioned pursuant to Fed.R.Civ.P. 11 and remanded the matter to the Magistrate Judge for a recommendation on the amount of the sanction. The Magistrate Judge has now issued a Report and Recommendations (doc. #49) regarding the amount of sanctions.

In accordance with this Court's de novo review of this matter, the Magistrate Judge's Report and Recommendations (doc. #49) regarding the amount of sanctions is ADOPTED in its entirety. Sanctions under Rule 11 are imposed on Plaintiff and his counsel, jointly and severally as follows:

1. In favor of Clemens and Co. in the amount of \$12,656.50 and
2. In favor of Local No. 162 in the amount of \$7,387.80.

**DONE** and **ORDERED** in Dayton, Ohio, this Ninth day of December, 2005.

s/Thomas M. Rose

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THOMAS M. ROSE  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record